Bill No. X-85-02-26

ANNEXATION ORDINANCE NO. X-85-85

AN ORDINANCE annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the North half of Section 33, Township 31 North, Range 12 East and part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana.

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 28, Township 31 North, Range 12 East; thence South along the East line of the Northwest Quarter of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, 25 feet to the South right-of-way line of Butler Road; thence West along said South right-of-way line to the intersection of the East right-of-way line of Hillegas Road; thence Northwesterly to the intersection of the North right-of-way line of Butler Road and the East right-of-way line of Hillegas Road; thence North along the East right-of-way line of Hillegas Road to the intersection of the South right-of-way

line of Coliseum Blvd.; thence Northeasterly and East along said South right-of-way line to the East line of the Northwest Quarter Section 28, Township 31 North Range 12 East; thence South on the East line of the Northwest Quarter to the South line of the Northeast Quarter of Northwest Quarter of said Section 28; thence West along said South line 317.1 feet; thence South 00° 25 feet West and parallel to the West line of the Southeast quarter of the said Northwest Quarter a distance of 661 feet to the North line of the South half of the Southeast Quarter of the Northwest Quarter of Section 28; thence West 990 feet along the North line of the South half of the Southeast Quarter of said Northwest Quarter to the West line of the Southeast Quarter of the Northwest Quarter of said section; thence South along said West line and the West line of the East half of the Southwest Quarter of Section 28 to the South line of said Section 28; thence East along said South line to the point of beginning; area containing 213 acres more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction,

street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect on December 31, 1985.

Janet G. Bradbury

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

Read the ~~first~~ time in full and on motion by Bradbury, seconded by Eisbart, and duly adopted, read the second time by title and referred to the Committee Annexations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____.M.,E.S

DATE: 2-26-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the ~~third~~ time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed ~~on~~ its passage. PASSED ~~(LOST)~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	7		1	1	
BRADBURY	✓		✓		
BURNS	✓				
EISBART	✓				
GiaQUINTA	✓				
HENRY	✓				
REDD	✓				
SCHMIDT	✓			✓	
STIER	✓				
TALARICO	✓				

DATE: 6-25-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ ~~(ZONING MAP)~~ ORDINANCE ~~(RESOLUTION)~~ NO. X-05-85 on the 25th day of June, 1985,

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 1985, at the hour of 11:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of June, 1985, at the hour of 3:00 o'clock P.M.,E.S.T.

WIN MOSES, JR., MAYOR

ORIGINAL ORIGINAL

Admn. Appr. _____

DIGEST SHEET

X-85-02-26

TITLE OF ORDINANCE Ordinance for Elk Grove Annexation

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of Fort Wayne. The annexation area contains approximately 212.7 acres and is bounded on its Northern and Eastern sides by the City. The basis for annexing this area is the provision of State law that allows the annexation of an area if at least one-fourth (1/4) of its aggregate external boundaries boarder the City's and can be used by the city for its future development in the reasonably near future.

EFFECT OF PASSAGE Described territory will become part of the City. In addition, annexation will expand the City's tax base and will increase the quantity of industrial zoned land within the city limits.

MONEY INVOLVED (Direct Cost, Expenditures, Savings) To be explained by the Fiscal Plan, which will be prepared by the Department of Community Development & Planning

ASSIGNED TO COMMITTEE (J.N.) Annexation

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

5 June 1985

X-85-02-26

TO: Common Council
City of Fort Wayne

RESOLUTION

OF THE

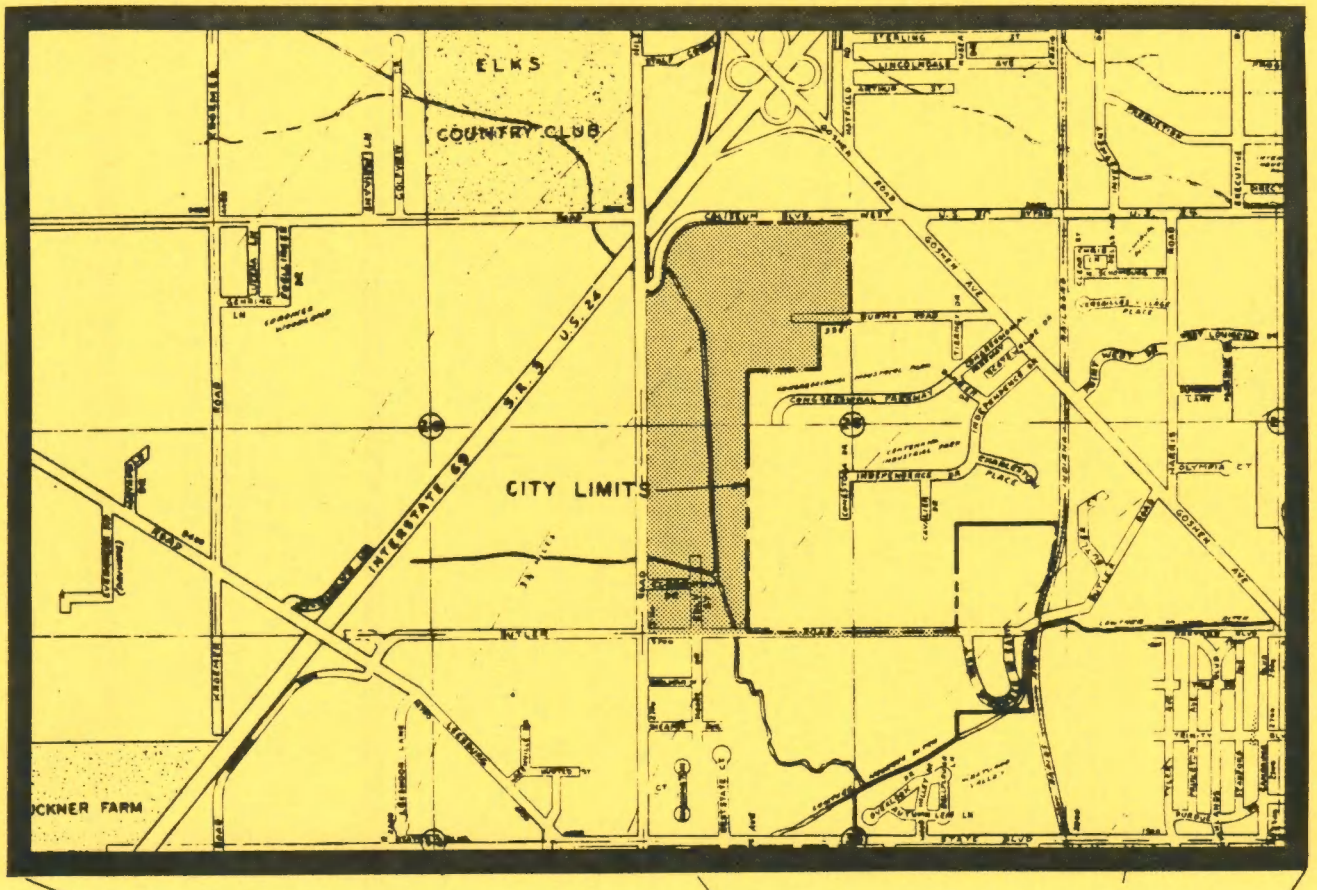
CITY PLAN COMMISSION

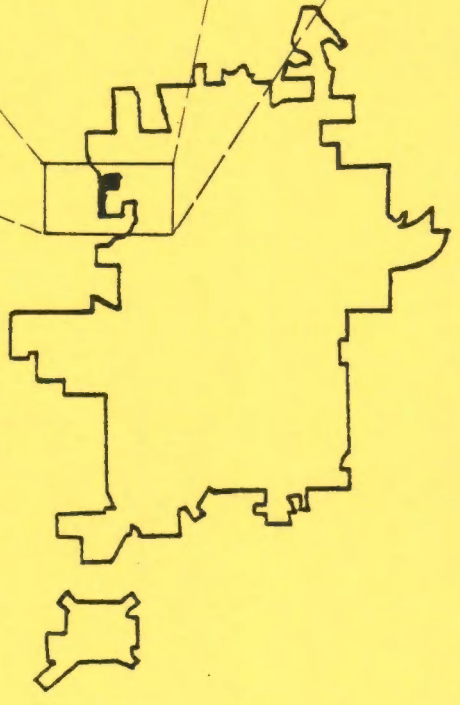
BE IT HEREBY RESOLVED that the City Plan Commission recommends DO PASS for the Elk Grove Annexation. Annexation Bill No. X-85-02-26 and Resolution No. R-85-02-27.

Certified and signed this
5th day of June 1985.

Melvin O. Smith
Secretary

ELK GROVE ANNEXATION FISCAL PLAN





DEPARTMENT OF
COMMUNITY DEVELOPMENT
AND PLANNING

MARCH 1985

THE CITY OF FORT WAYNE

ADMINISTRATIVE AND POLICY DIRECTION

Win Moses, Jr.
Mayor
City of Fort Wayne

Norman A. Abbott, AICP
Director
Division of Community Development and Planning

V.C. Seth, AICP
Director of Planning

Fort Wayne City Plan Commission
Benjamin Eisbart, President
Edith Kenna, Vice President
Melvin Smith, Secretary
Duane Embury
Herman Friedrich
Robert Hutner
David Kiester
Stephen Smith
Fred Yoss

RESEARCH AND PREPARATION

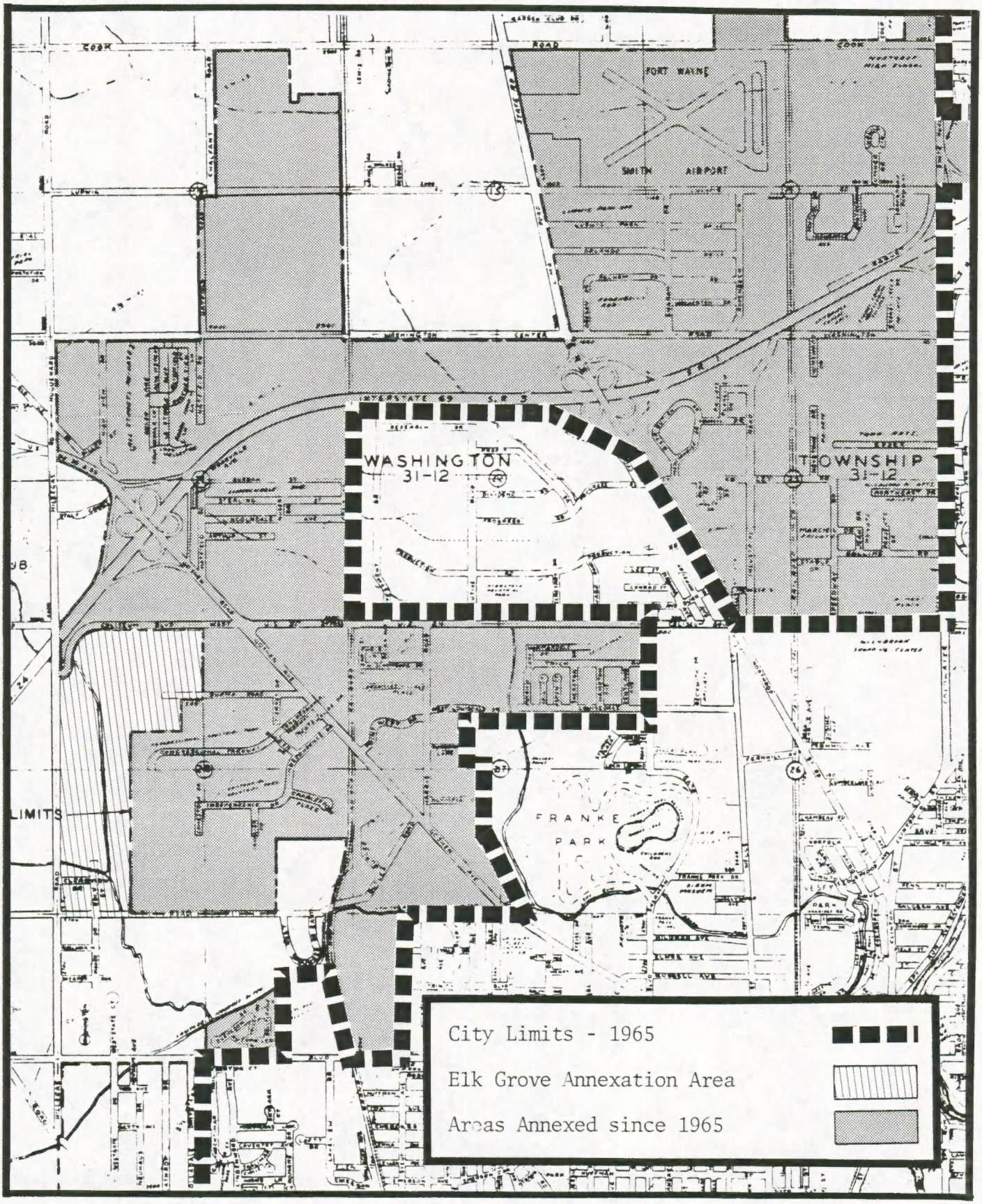
Michael Graham, Senior Planner
Roy Hossler, Planner I

PREFACE

Over the past 20 years and beyond, the City of Fort Wayne has been pursuing the annexation of land adjacent to its corporate limits. As can been seen in Figure 1, the Elk Grove annexation is a logical continuance of the City's pursuit.

This plan states the justification and applicable state legislation concerning the annexation of urban land. Also, the plan provides an analysis of basic data, property tax changes and the provision of municipal services that can be expected by land owners in the Elk Grove annexation area.

FIGURE 1



CITY LIMITS - 1965

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SECTION ONE

BASIC DATA

A. LOCATION

The area proposed for annexation is located northwest of the City of Fort Wayne and is bounded on the north by Coliseum Blvd. (U.S. 30), on the east by the present city limits, on the south by Butler Road and on the west by Hillegas Road (see Figure 2).

B. SIZE

The Elk Grove Annexation encompass approximately 213 acres.

C. POPULATION

Figures from the 1980 census of population and housing show that there are 3.4 persons per dwelling unit in the part of Washington Township which is outside of the City of Fort Wayne. Multiplying the figure by the 14 dwelling units in the annexation area, the population of the annexation area is calculated to be 48 persons.

D. BUILDINGS

Single Family	14 structures in good condition
Commercial	7 structures in good condition
Barn	1 structure in good condition
Television Tower Building	1 structure in good condition

E. LAND USE

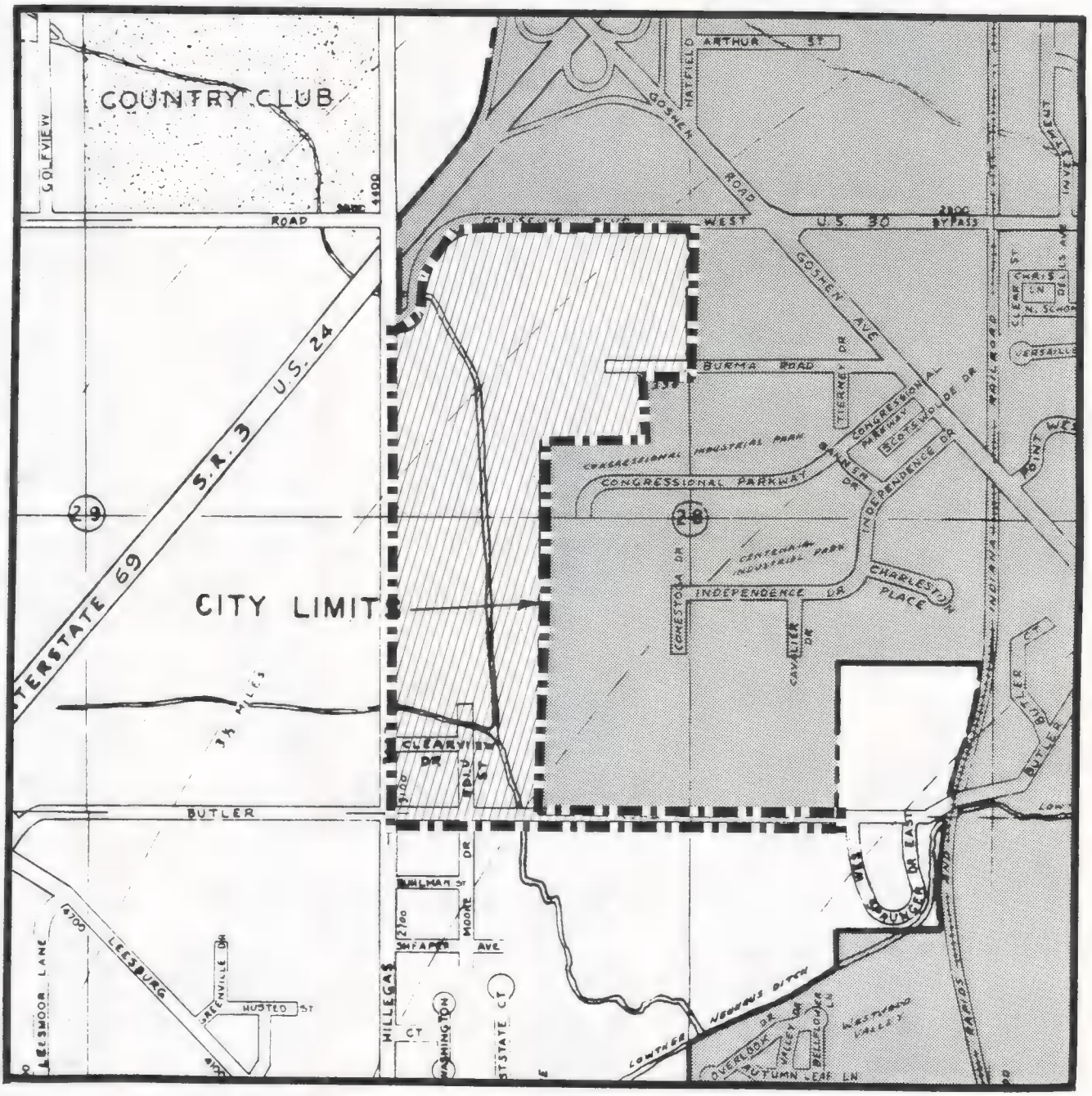
	Acres	Percent
Residential	13.9	7%
Commercial	46.4	22%
Agricultural	100.0	47%
Public & Institutional	7.4	3%
Vacant	45.0	21%

F. ZONING

The Elk Grove Annexation area has three zoning classifications (see Figure 3). Upon annexation, this area will be under the jurisdiction of the City Plan Commission and will be classified as shown below:

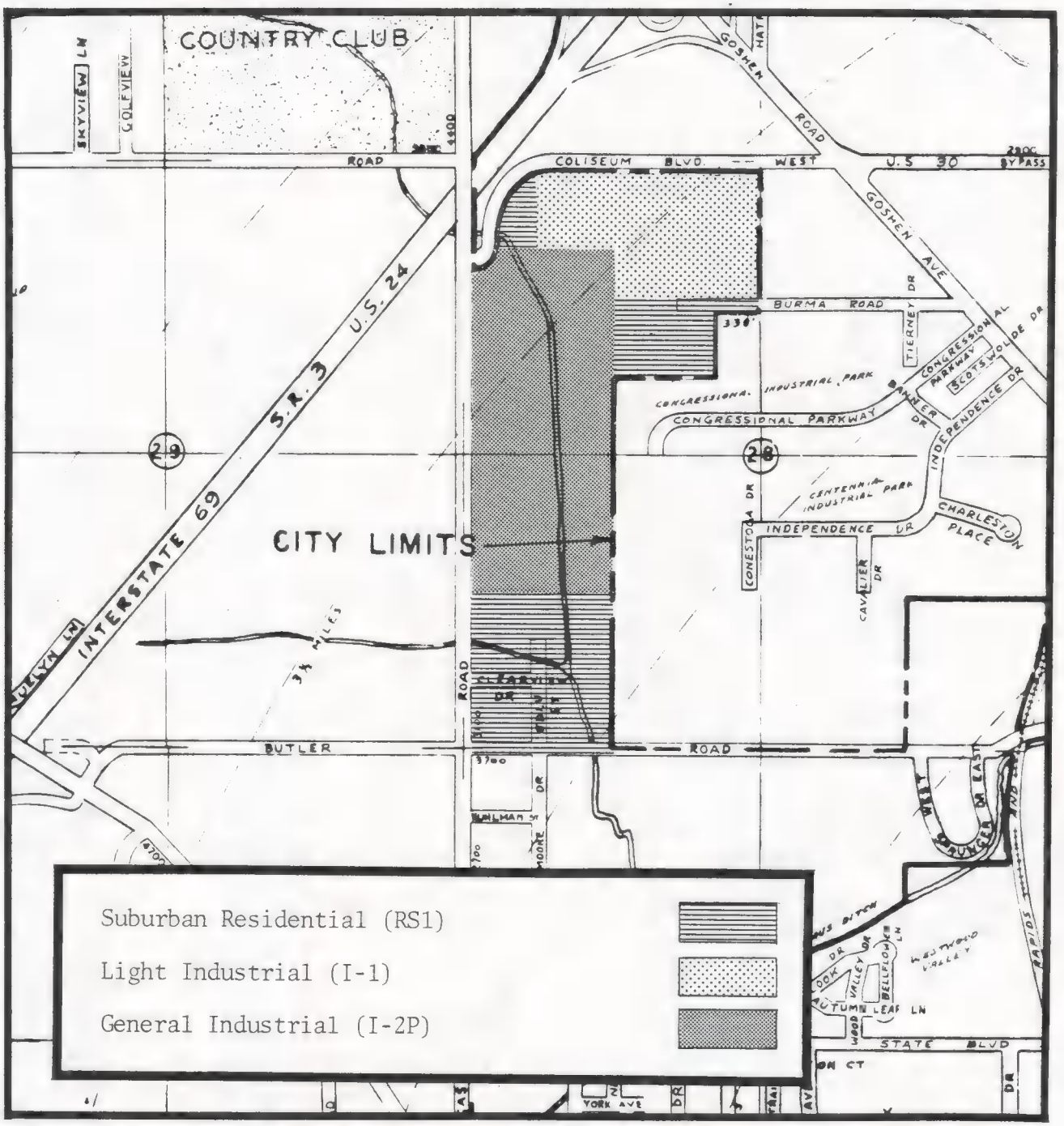
County Zoning Classification	City Zoning Classification
RS-1 Suburban Residential	R-1 Single Family Residential
I-1 Light industrial	M-1 Light Industrial
I-2P General Industrial Planned	M-2 General Industrial

Figure 2



LOCATION

Figure 3



ZONING

G. ASSESSMENT

$1,031,670

H. TAX RATE ('84 Payable '85 Rates)

Existing: 6.0636 After annexation: 9.7104 Increase: 3.6468
Percent increase: 60%

I. UTILITIES

Water and sewer lines are available to be extended to serve the annexation area.

J. COUNCIL DISTRICT

The annexation area will be in City Council District 3.

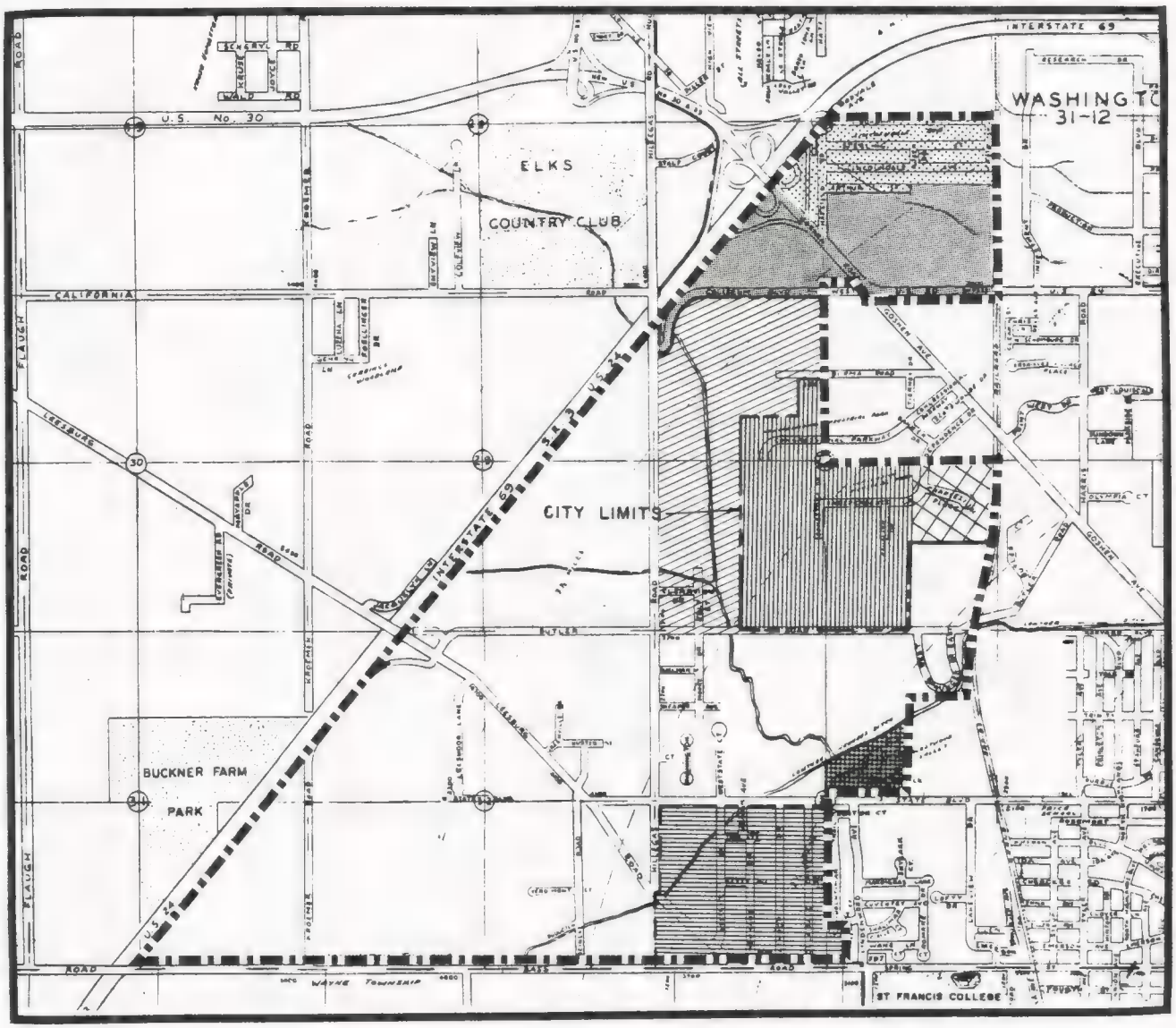
SECTION TWO

THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the Elk Grove area is part of a larger, comprehensive annexation program which was promulgated in a report prepared by the Department of Community Development and Planning in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City Limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Elk Grove area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation.

Figure 4 shows the area identified for annexation in the 1975-76 annexation report (in the report the area was identified as WASH-4). The figure shows the annexation activity which has taken place in WASH-4 since the preparation of the 1975-76 annexation report.

Figure 4



Elk Grove (pending)

Lincolndale (completed)

Highview (completed)

F.O.P. Club (completed)

Hefner-Huguenard (completed)

Hefner Farm (completed)

Westwood Valley (completed)

WASH-4 (proposed)

ANNEXATIONS IN WASH-4

SECTION THREE

STATE LAW REQUIREMENTS

A. INTRODUCTION

When pursuing an annexation, the municipality must be sure that the proposed annexation is in accordance with the state law. The existing statute (IC 36-4-3) provides cities with two options for annexing areas. The two options are:

1. The area must be at least one-eighth contiguous (12.5 percent) to the municipality and it must meet at least one of the following three conditions: (a) have a population density of at least three persons per acre; (b) be zoned for commercial, business, or industrial uses; (c) be at least sixty percent subdivided; or

2. The area must be at least one-fourth contiguous (25 percent) to the municipality and it must be needed and be used by the municipality for its development in the reasonably near future.

In both instances, the municipality must also prepare a fiscal plan. The fiscal plan must provide cost estimates of the services to be furnished to the annexed territory, together with the methods for financing such services.

The Elk Grove annexation meets not just one, but both of the options that have been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how this annexation meets these two annexation requirements.

B. ONE-EIGHTH CONTIGUOUS

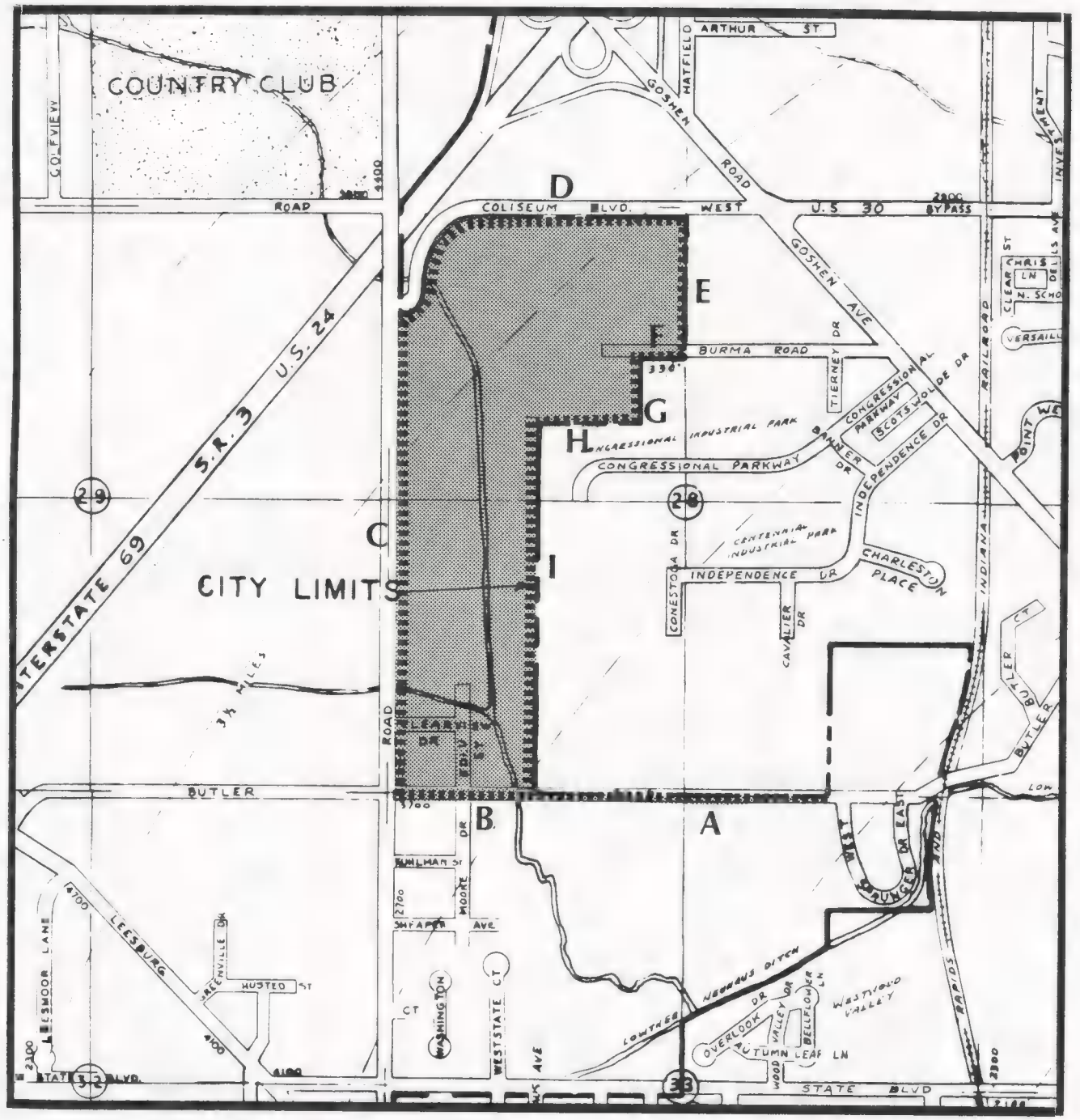
Figure 5 illustrates the length of the external boundaries of the annexation area. As can be seen, sixty-nine percent of the annexation area's boundaries are contiguous to the City of Fort Wayne. Therefore, this annexation easily meets the one-eighth (12.5%) contiguity requirement mandated by state statue.

As mentioned in the introduction, if the annexation is at least one-eighth contiguous to the municipality, it can be annexed if any one of three conditions are met. The Elk Grove annexation, which is zoned for industrial use (see Figure 2), meets condition 1(b) outlined above.

C. ONE-FOURTH CONTIGUOUS

The second annexation test stipulates that an annexation is valid if the area is at least twenty-five percent contiguous and if it is needed and can be used by the municipality for its development in the reasonably near future (IC 36-4-3-13). As noted above, the annexation is sixty-nine percent contiguous to Fort Wayne. Therefore, it easily meets the contiguity requirements mandated by the second test.

Figure 5



CONTIGUITY

NOT CONTIGUOUS

B 1,290 feet
C 4,290 feet

5,580 feet (31%)

CONTIGUOUS

A 2,650 feet
D 3,280 feet
E 1,300 feet
F 317 feet
G 661 feet
H 990 feet
I 3,210 feet

12,408 feet (69%)

Having met the contiguity requirement, the area must be needed and can be used by the municipality for its development in the reasonably near future. As will be explained, the Elk Grove Annexation Area meets this requirement.

First of all, the annexation area and the City are interdependent. Each needs the other. In all liklihood, a significant number of employees of the businesses in the annexation area reside in the City of Fort Wayne. In addition, these businesses benefit from the transportation, infrastructure, communication, and financial networks provided by the City.

A major effect on the Fort Wayne economy was felt with the closing of the International Harvester plant in 1983. Some 10,000 jobs were lost directly from the company and it is assumed that a few more thousand jobs were affected by suppliers and service organizations that did business with Harvester. The economic recession, coupled with the Harvester closing, accorded the City of Fort Wayne a challenge to provide incentives for economic development. The Elk Grove Annexation Area is needed by the City of Fort Wayne to increase its inventory of appropriately zoned land to allow for commercial and industrial expansion. The majority of land area within the annexation area is presently vacant or being used for agricultural purposes (68 percent). Of this 68 percent, 100 acres or 69 percent is currently zoned for industrial use.

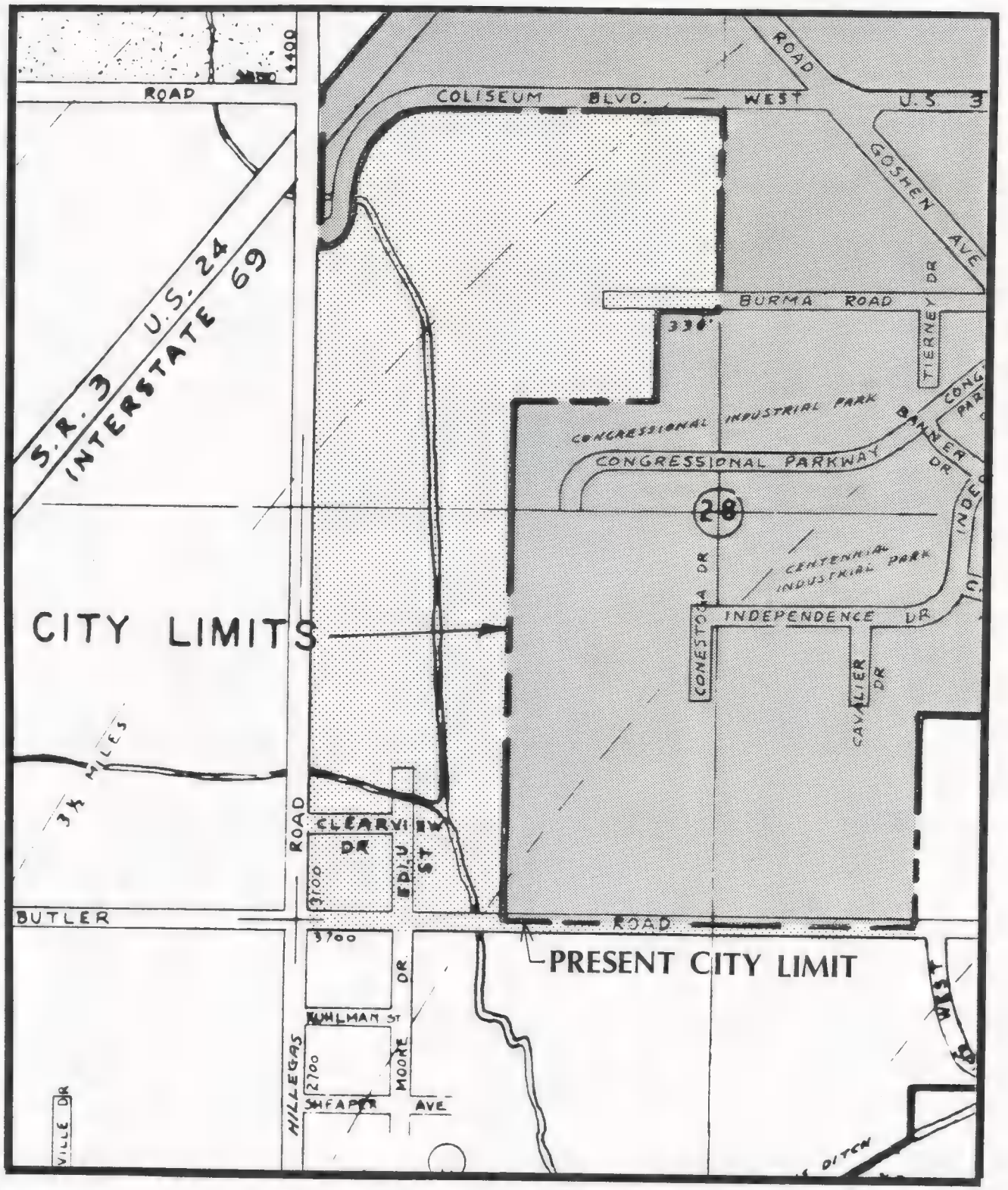
Centennial Industrial Park lies adjacent to the east of the proposed annexation area. The industrial park falls within the planning jurisdiction of the City, whose development standards are different from those of the county. In the event this industrial area is expanded, it makes good sense to have all contiguous areas within one planning jurisdiction. Currently, Centennial is being served by the City Departments of Water Pollution Control and Water Engineering. Logically, these services can be extended to serve the annexation area. These arguments fulfill the requirement of the state law that dictates "must be needed and can be used by the municipality for its development in the reasonably near future." A major goal of City government is to shape and control urban growth as well as providing municipal services as outlined in this plan.

The Elk Grove area is needed so that the City can provide services more efficiently. The annexation of this area will improve the delivery of services in two ways: first, it will greatly reduce problems associated with irregular boundaries and, second, it will enable the City to take advantage of economies of scale.

Regarding the first point, service providers who are confronted with irregular and confusing boundaries react in one of two ways: they provide services, or they don't provide services. As a result, many areas which are on the border between the city and county, and which have irregular boundaries, may be receiving too few or too many services. This problem is particularly relevant for the Elk Grove area. As Figure 6 shows, the city limits along Butler Road are particularly confusing. If a traffic accident occurs on this road, there may be some confusion about whether the accident is in the city or in the county. The annexation of this area will alleviate this problem, as the entire roadway will be within the City of Fort Wayne after its annexation.

One of the most serious problems confronting Fort Wayne is finding ways to maintain urban services at specific minimum levels in the face of declining

Figure 6



SPLIT BOUNDARY

revenue and population losses. The gravity of this problem can easily be seen when looking at socio-economic trends in Fort Wayne-Allen County. Fort Wayne's percentage of the total Allen County population has been steadily decreasing. In 1960, the City had 70 percent of Allen County's population; by 1980, that percentage was down to 58 percent (see Table 1). These figures would have been even lower if a number of annexations had not taken place. For example, subtracting the 30,000 people who have been annexed over the past two decades, the 1980 population of Fort Wayne would be 142,196 (a decrease of 19,580 since 1960), while the population for the rest of Allen County would be 152,139 (an increase of 81,719 since 1960).

These shifts in population, with the resultant loss of income, have made it exceedingly difficult for the City to provide adequate services. Compounding this problem is the fact that the City has been shouldering a disproportionate share of the metropolitan area's social problems. This fact is clearly shown in Table 1. For example, in 1970, the City, with only 63 percent County's population, had 82 percent of all families in Allen County that received public assistance income. In addition, 77 percent of all Allen County families that had incomes below the poverty level resided in the city in 1970. Finally, Fort Wayne also had 82 percent of all families that had a female head of the household and 75 percent of the Allen County population that received social security in 1970.

The impacts of these demographic changes in Fort Wayne-Allen County have been inequitable. Because of the population shifts and the fact that a disproportionate number of the economically disadvantaged live in Fort Wayne, city residents are required to pay higher taxes than suburban residents. However, they are less able to accommodate the higher taxes than their suburban counterparts because, as Table 1 shows, the median family income for the City was $2,226 less than the median family income for Allen County in 1970. To make matters worse, the evidence suggests that not only do city residents pay higher taxes because they support disproportionate numbers of the economically disadvantaged, but they pay higher taxes because they are also subsidizing a large segment of the suburban population.

Although it is very difficult to document the exact extent of the subsidization taking place, it is clear that every day, large numbers of suburban residents consume significant quantities of police, fire, park, and street services from the City of Fort Wayne while not paying their fair share. For example, a random examination of the accident reports prepared by the Fort Wayne Police Department for the week of August 5-12, 1984, shows that they responded to 151 accidents in the City. It was discovered that 62 police runs involved county residents. Thus forty-one percent of the accident runs made by the Fort Wayne Police Department in this week were made to assist county residents. It is worth noting that the budget of the Police Department is comprised primarily of funds received from the City's General Fund. City residents pay $2.6249 per every $100 of assessed property valuation for this fund, whereas county residents do not contribute to this fund.

Such subsidization of county residents by their less affluent City neighbors is not only confined to the Police Department. For example, with their recreational facilities, such as basketball courts, baseball diamonds, tennnis courts, and playground facilities, and their special activities, such as concerts and

rose walks, the Fort Wayne Parks Department attracts people from all over Allen County. However, only City residents pay the tax of .4074 cents per every $100 assessed valuation so that everyone can continue to enjoy the City's park system.

The fact that suburban residents of Fort Wayne require such a large amount of police service may surprise some people, particularly those suburban residents who claim they never use City services. However, it tends to confirm that the City of Fort Wayne is a social, recreational, governmental, economic, educational, and cultural center for the entire metropolitan region and, as such, it provides numerous services to non-City residents.

The bottom line, then, is that one reason the City of Fort Wayne needs the Elk Grove Annexation Area is to help equalize the tax burden which, in turn, will enable the City to continue to provide adequate services to its residents.

The second point, economies of scale, works something like this: if the City of Fort Wayne invests in a fire station, a truck, and the minimal manpower necessary to respond to a fire 24 hours a day, it is most efficient to utilize these resources to their fullest capacity. Therefore, if such a hypothetical station has a range of response of three miles in all directions and the jurisdiction of the station is limited to two miles, the station is being under-utilized. This is inefficient and increases the cost of fire protection for the entire area. In fact, this is the case in the Elk Grove area. Both the Fort Wayne Police and Fire Departments have stated that they can provide services to the Elk Grove Area with no increase in manpower and with minimal increases in expenditures. Therefore, the annexation of this area will enable both departments, as well as other service agencies, to utilize their excess capacity, and will reduce the cost of services for the thousands of Fort Wayne residents who are presently paying for this excess capacity.

In view of these facts, it is clear that the annexation of the Elk Grove area is a rational and reasonable attempt by the City of Fort Wayne to alleviate many of the economic problems confronting it.

D. CONCLUSION

The Elk Grove Annexation Area should be annexed into the City of Fort Wayne because it meets the annexation tests that have been established by the State Legislature: The annexation area is sixty-nine percent contiguous to the City and is zoned for commercial/industrial uses. In addition, the area is more than twenty-five percent contiguous, and is needed by the City for its growth and development in the reasonably near future.

Recently, construction has begun on a new General Motors plant just southwest of Fort Wayne. Even though this company is not located in the City, most people realize that the plant will have a considerable positive impact throughout the entire metropolitan region. This situation will create the opportunity for expansion of businesses that will be servicing and supplying the plant. Increasing the inventory of industrial land within the City provides the City flexibility in offering economic development incentives for expanding businesses.

TABLE 1

FORT WAYNE/ALLEN COUNTY
SOCIOECONOMIC CHARACTERISTICS

	FORT WAYNE		ALLEN COUNTY (excluding F.W.)		TOTAL ALLEN COUNTY
			POPULATION		
1960	161,776	70.0%	70,420	30.0%	232,196
1970	177,671	63.4%	102,784	36.6%	280,455
1980	172,196	58.5%	122,139	41.5%	294,335
			ELDERLY POPULATION (65+)		
1960	15,245	78.3%	4,230	21.7%	19,475
1970	18,240	76.4%	5,634	23.6%	23,874
1980	20,479	72.9%	7,595	27.1%	28,074
			MEDIAN FAMILY INCOME		
1960	$ 6,492		$ 6,732		
1970	$10,401		$12,627		
1980	$19,580		$25,777		
			FAMILIES RECEIVING PUBLIC ASSISTANCE INCOME		
1970	1,364	81.7%	306	18.3%	1,670
1980	4,120	82.7%	861	17.3%	4,981
			FAMILIES WITH FEMALE HEAD OF HOUSEHOLD		
1970	5,201	81.8%	1,154	18.2%	6,355
1980	11,802	81.6%	2,655	18.4%	14,457
			POPULATION RECEIVING SOCIAL SECURITY INCOME		
1970	18,872	76.3%	5,866	23.7%	24,738
1980	17,240	73.5%	6,206	26.5%	23,446
			FAMILIES WITH INCOMES LESS THAN POVERTY LEVEL		
1970	2,750	76.8%	833	23.2%	3,583
1980	3,756	78.7%	1,019	21.3%	4,775

Source: General Social and Economic Characteristics, Indiana (1970), U.S. Bureau of the Census.

Census of Population and Housing, Indiana, (1980), U.S. Bureau of the Census.

If, due to inadequate services and a lack of amenities, the City could not attract and retain businesses and residents, the adverse impact upon the suburban areas would be staggering. In such a case, even those residents who argue that they should not pay higher taxes because they do not use city services would be quick to realize, through the loss of their jobs and the depreciation of their property, that they are members of the metropolitan community and that their prosperity is dependent in large part upon the continued prosperity of Fort Wayne.

Because the City of Fort Wayne is cognizant of this mutual interdependence, it has devised an annexation program. This program has been devised to ensure that the City continues to prosper or, at least, does not decline. Annexation will reduce the inequities that exist by ensuring that suburban residents pay for their fair share of urban services. In turn, the rates paid by City residents will be reduced because they will not be subsidizing "free riders". Finally, the annexation program will enable the City to provide the urban services that are so essential to the economic well-being of the metropolitan region. Thus, the City of Fort Wayne needs the Elk Grove Annexation Area so that it can develop into a more responsive City fiscally, economically, socially, and culturally.

SECTION FOUR

MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Elk Grove Annexation Area. The plan also describes how and when the City plans to extend the services of non-capital and capital improvement natures. As will be seen, the explanations of the above provisions satisfy the requirements of Indiana State Law.

The municipal services described in this section are analyzed according to the needs of the Elk Grove Annexation Area, along with the costs of providing these services and the funding sources. As required by state law, the annexation area will be treated equally with other City areas and will receive urban services in the same manner as other areas within the City. However, because the City does not employ different service standards for different areas of the City, the annexation area is compared with the service standards as they exist for the entire City. The City of Fort Wayne will provide services of a non-capital nature, including police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately after the effective date of annexation. Street lighting and street construction will be provided as outlined in this section. The water, sewer, and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant state law and utility policies. Existing facilities of the Fort Wayne Parks and Recreation Department will also be available to residents of the area upon annexation. Park development within the annexation area is contingent upon the park planning standards and methods used throughout the City.

A. <u>POLICE</u>

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work, such as participation in court proceedings and protection of constitutional rights. It is also responsible for the control of traffic and the promotion and preservation of civil order.

District 2 will be expanded to cover the Elk Grove Annexation Area. The Police Department keeps tabulation on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation. A maximum number of 10 patrols is forecast for the annexation area within a 24-hour period. The A shift can make a maximum of four patrols while the B and C shifts will each make a maximum of three patrols. Even though there will be daily variations, the Chief of Police will routinely monitor the situation and will make the necessary adjustments in patrol districts, patterns, and manpower so that response time to high priority calls will be approximately three minutes - which is standard for the City.

The cost to provide protection to the annexation area will be $12,118.00 a year. This cost is based on a maximum of ten patrols in a 24-hour period. To arrive at the total cost for police services, the number of street miles in the annexation area are calculated and multiplied by the travel cost per mile. Funding for police services in the annexation area will come from the regular Police Department budget which is derived primarily from local property taxes through the General Fund.

ESTIMATED ANNUAL COST: $12,118.00

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing services to the Elk Grove Annexation Area immediately after the annexation date (see Figure 7). The services provided include fire protection and suppression, emergency rescue, fire prevention, and fire inspections. The first responding fire station will be from Station 6 at 1500 West Coliseum Boulevard. If needed, backup response will come from Station 7 at 1602 Lindenwood and Station 13 at 1103 East Coliseum Boulevard. Station 6 is equipped with a Class "A" pumper and a ladder truck.

This particular annexation will not require a new fire station nor will it require additional personnel and equipment. The only additional expense that is expected will be from operating costs for such items as postage, printing, photography, and gasoline. However, the operating costs will be minimal considering the Elk Grove Annexation Area will be only a fraction of the total area serviced by the City. Funding for the operating costs will come from the Fire Department budget through the General Fund.

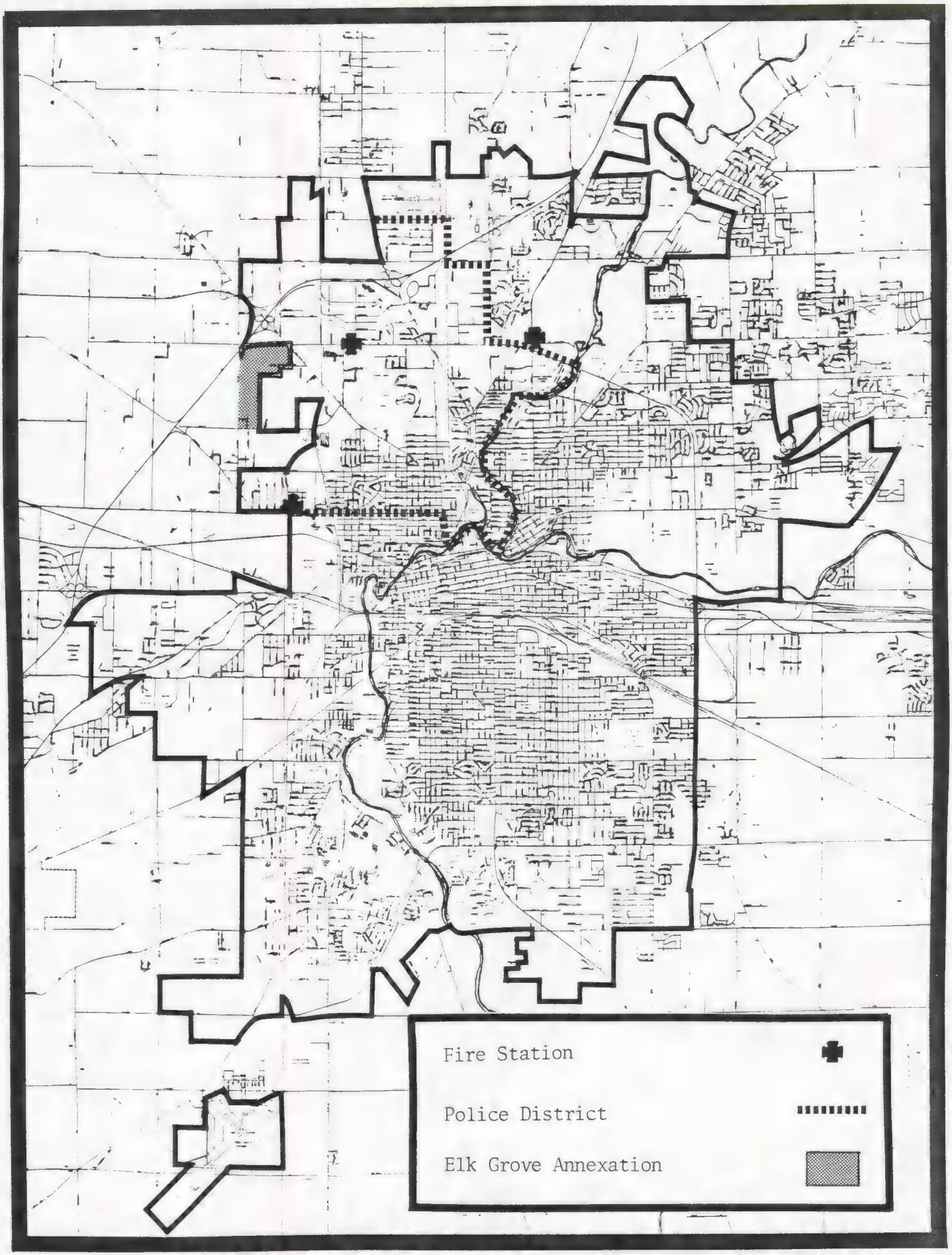
ESTIMATED ANNUAL COST: $0

C. EMERGENCY AMBULANCE SERVICE

At the present time, the Three Rivers Ambulance Authority is the only provider of ambulance service to City residents. Elk Grove Annexation residents may receive full advanced life support ambulance service immediately upon annexation. Residents of this area are not guaranteed availability of advanced life support ambulance service until annexation has occurred or the Washington Township Trustee enters into a system participation agreement with the Three Rivers Ambulance Authority (upon annexation, this agreement is not necessary).

Using service run records of the past several years, as many as six ambulances will be stationed at different locations throughout the community. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched to the annexation area. In addition, for some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. Primary assistance will come from Stations 6. Secondary assistance from the Fire Department will come from Stations 7 & 13. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, firemen are able to administer medical treatment to residents before the ambulance arrives.

Figure 7



POLICE AND FIRE SERVICE

The method of financing emergency ambulance services is based primarily on user fees plus a small, decreasing City tax subsidy, which over the next few years should drop to zero, leaving user fees as the sole financial support of the system. The charges of ambulance service, as of April 1, 1984, are shown in Table 2.

TABLE 2

EMERGENCY AMBULANCE CHARGES

1. $85 plus $5 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. $95 plus $5 per loaded mile for non-scheduled non-emergency transfers.
3. $320 for all emergencies (City residents).
4. $385 for all emergencies (non-City residents).

D. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area within one year after the annexation date. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. Finally, the department provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems.

The Traffic Engineering Department will not require additional personnel to perform its services in the Elk Grove Annexation Area. The capital costs of the annexation area will be $335.20 for two stop signs, one No Trucks sign, and three street name assemblies. Funding sources for these services will be from real estate taxes, Motor Vehicle Highway (MVH) funds, and revenue sharing.

Estimated Annual Cost: $335.20

E. SOLID WASTE DISPOSAL

The City of Fort Wayne will provide garbage collection to the annexation area within one year after the annexation date. The City currently contracts with National Serv-All and SCA Services of Indiana to provide this service. The proposed annexation area will be served by SCA Services. According to the contract, the City is charged $33.96 per household per year by SCA for each additional housing unit added to the City through annexation. Since the Elk Grove Annexation Area contains 14 single family units, garbage disposal for the area will cost the City $475.44 a year. The collection service will be financed by the City's Garbage Disposal Fund which comes from the General Fund.

ESTIMATED ANNUAL COST: $475.44

F. STREETS AND ROADS

The incorporation of the annexation area will add .18 miles of residential and .75 miles of arterial streets to the City's street system. The residential streets are in poor condition and the arterial streets are in fair condition. The Fort Wayne Street Department will be responsible for the general maintenance of all dedicated streets in the annexation area within one year after the annexation date. The Street Department will provide snow and ice removal, leaf pick-up, surface maintenance, and will also mow along the roadsides. The Street Department will also provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the propoesed annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment, and they will be similar to those services already provided to the rest of the City. The average cost of general street maintenance is $2,500 per mile of street per year, so the annexation will cost the City approximately $2,325 a year in street maintenance costs. The source of funding for street maintenance is the Street Department budget which is composed of funds from the Motor Vehicle Highway (MVH), Federal Aid Urban (FAU), and Local Arterial Roads and Streets (LARS) programs.

Besides the maintenance services just discussed, the Street Department will improve streets upon receipt of a petition from the property owners. Arterial streets can be improved with funding from accounts such as FAU and LARS. The cost to improve other residential streets will be split between the property owners petitioning for the improvements and the City. The City's share will come from Motor Vehicle Highway funds. All petitions from the annexation area will be treated equally with other petitions in the City and honored according to the same criteria such as filing date and the amount of money available in any particular year. If annexed, the residents will be able to use Barrett Bonding as a capital source to finance their share of the street project.

ESTIMATED ANNUAL COST: $2,325

G. PARKS

Residents of the annexation area presently have access to City park facilities such as swimming pools, baseball diamonds, picnic facilities, golf courses, indoor and outdoor skating facilities, etc. After annexation, they will continue to have access to these facilities and, through the property tax, will contribute to their maintenance.

ESTIMATED ANNUAL COST: $0

H. WATER

If requested, City Utilities has the capacity and the capability to provide sufficient volumes of water to the portions of the annexation area not presently receiving water services. The extension of water services to individual developments and residences will be considered once the property owners in the area petition for such service. This procedure is the same as that being used by areas within the City. The property owners in the area must also finance the cost of the installation on either a cash basis, or with a mechanism similar to

Barrett Bonding. The bonding procedure permits property owners to spread their payments for the installation costs over a ten year period.

ESTIMATED ANNUAL COST: $0

I. FIRE HYDRANTS

The City of Fort Wayne pays the Fort Wayne Water Utility $181.50 annually for each fire hydrant located within the City. However, there are no fire hydrants in the annexation, so this is not applicable.

ESTIMATED ANNUAL COST: $0

J. SANITARY SEWERS

The Fort Wayne Department of Water Pollution Control (WPC) presently provides sanitary sewers to businesses in the annexation area. If additional sewer service is desired by other residents, the Water Pollution Control Department has the capability to provide this service. Residents will have to pay for the installation of the sewers. Upon annexation, residents will be able to take advantage of the Barrett Bonding process. Barrett Bonding permits residents to make long-term, low interest payments for their sewers.

ESTIMATED ANNUAL COST: $0

K. STORM SEWERS

Upon annexation, the Department will not consider capital improvements for storm sewers unless petitioned by the residents of the area. The City does not have storm sewer relief funds available for this type of project. It is the City's policy that the financing of storm sewers be the responsibility of property owners. Residents can pay through Barrett Law Assessments which allows payment over a ten-year period at an interest rate lower than that available on the open market.

When the Board of Works receives a petition from the affected property owners, it will direct the Department of Water Pollution Control to make an investigation of storm drainage conditions. Upon completion of the study, a contract for storm drainage construction may be let by the Board of Works.

ESTIMATED ANNUAL COST: $0

L. STREET LIGHTING

The Street Lighting Department will be responsible for maintaining and operating street lights in the annexation area. Presently, there are no street lights in the annexation area. If street lighting is desired, a valid petition must be filed. Once the petition has been received by the City, it will be placed on a waiting list. When street lights have been constructed for all requests that were received prior to the petition from the annexation area, construction will begin as soon as funds are available. The City will cost share the construction costs with property owners. However, if residents desire ornamental street

lighting (which also includes underground wiring), they will be responsible for paying the difference between regular street lights and ornamental street lights.

ESTIMATED ANNUAL COST: $0

M. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Elk Grove Annexation Area immediately after the date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. Funding comes from a variety of sources, including the General Fund, the State, and the Federal government.

ESTIMATED ANNUAL COST: $0

SECTION FIVE

FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to report the revenues and expenditures from the proposed Elk Grove annexation. This section will also provide a five year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Elk Grove Annexation Area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Washington Township Assessor. The formula for computing tax revenue is shown in Table 3:

TABLE 3

TAX REVENUE FORMULA

$$\frac{V-E}{100} \quad (T) \quad = \quad TR$$

Where:
V = Assessed Valuation
E = Home Mortgage Exemption ($1,000)
T = Tax Rate (3.888)
TR = Tax Return

The total assessed valuation of the proposed Elk Grove annexation is $1,031,670. Next, a home mortgage exemption is deducted from this total. There are 14 homes in the annexation area and, assuming that each one is eligible for a home mortgage exemption of $1,000, the total taxable assessed valuation of the annexation area is $1,017,670. The $1,017,670 is then computed with the City's present tax rate less that part the residents are presently paying (the tax rate (see Table 4 is 3.8880). Property owners in this area are already paying the Public Transportation and the Transportation Bond Taxes. Subtracting these rates from the total rate leaves a tax increase of $3.732. The computation equals $37,979 in property tax revenues. Finally, a 20 percent individual tax credit is deducted from this figure. Therefore, the total amount of property tax revenue that will be paid by residents of this area will be $30,383. The 20 percent deduction will be returned to Fort Wayne by the state with revenues raised by the state sales tax. The total revenues received by the City from this annexation will be $37,979 when the property tax relief revenues from the state are received.

This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets (LARS) funds. This is because these funds are allocated according to street miles. In

TABLE 4

TAXING DISTRICT RATE

Corporation General	$2.6249
Sewers	.0162
Corporation Bond	.3879
Firemen Pension	.1546
Policemen Pension	.1227
Parks General	.3959
Redevelopment General	.0141
Sanitary Officers Pension	.0157
Public Transportation	.1180
Public Transportation Bond	.0380
Total	$3.8880

1982, the City received $3,573 per street mile from the MVH fund and $1,802 from the LARS fund. The annexation area will add .93 miles to the City's street system. Therefore, the City will receive an additional $3,323 from MVH and an additional $1,676 from LARS because of the Elk Grove annexation.

In addition to property taxes and highway funds, the City receives revenues from Federal Revenue Sharing funds, the Community Development Block Grant, the Cigarette Tax and the Alcoholic Beverage Tax. These grants and funds are partly based on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of the Elk Grove annexation cannot be calculated. Still, these funds will increase with city population increases.

B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 5. Capital costs are separated from operating costs, and they are considered as maximum expenditures. Since the needs of the annexation area must be treated equally with the needs of other areas in Fort Wayne, capital improvement projects such as the installation of streets, curbs, and sidewalks must follow routine city procedures which often require petitioning. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Elk Grove Annexation Area for the first five years after it is incorporated into the City of Fort Wayne.

TABLE 5

EXPENDITURES

DEPARTMENTS	CAPITAL COSTS	OPERATING COSTS
Police	$ .00	$12,118.00
Fire	$ .00	$ .00
Three Rivers Ambul. Auth.	$ .00	$ .00
.Solid Waste Disposal	$ .00	$ 475.44
Traffic Control	$ 335.20	$ .00
Streets	$ .00	$ 2,325.00
Street Lighting	$ .00	$ .00
Parks	$ .00	$ .00
Water	$ .00	$ .00
Fire Hydrants	$ .00	$ .00
Sanitary Sewer	$ .00	$ .00
Storm Sewer	$ .00	$ .00
Administrative Functions	$ .00	$ .00
Total	$ 335.20	$14,918.44

The summary automatically includes for each of the five years a 4.2 percent inflation factor for municipal expenditures, and a 5 percent increase for City revenues. The 4.2 percent inflation factor is the rate of inflation from October 1983 to October 1984 as calculated by the U.S. Department of Labor. The revenue factor is derived from the percent increase of assessed valuation in Indiana. This increase is applied to the City's allowed levy ceiling.

Table 6 includes both capital and operating costs in the estimated first year expenditures. Capital costs are a one time expenditure to upgrade the proposed annexation area.

Property tax revenue from the annexation area will not be collected until 1987. Assuming the area is annexed in 1985, assessment will not occur until March of 1986, with revenues being collected in 1987. Since revenues are not collected for one year after the effective date of the annexation, the City will experience a loss of $15,254 in 1986, however, this loss will be reduced by an additional $4,999 in highway funds.

D. RECOMMENDATION

This Fiscal Plan, which meets the state law requirements that a fiscal plan be prepared, shows that the Elk Grove annexation is in accordance with the applicable state statues. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1985.

TABLE 6

REVENUES MINUS EXPENSES

	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LARS FUNDS	BALANCE
1986	$15,254	$ -0-	$ 4,999	-$ 10,255
1987	$15,545	$ 39,878	$ 4,999	+$ 29,332
1988	$16,198	$ 41,872	$ 4,999	+$ 30,673
1989	$16,878	$ 43,966	$ 4,999	+$ 32,087
1990	$17,587	$ 46,164	$ 4,999	+$ 33,576
Totals	$81,462	$171,880	$24,995	+$115,413

Footnotes

[1]The tax increase referred to (3.732) refers to the tax revenues which will be received by the City of Fort Wayne or one of the special districts operating within Fort Wayne. This should not be confused with the total tax increase which was mentioned in Section One (3.6468). Table 7 shows why the two increases will not be the same. Although the residents will have a city tax increase of 3.732, they will no longer have to pay for township EMS, township fire protection services, and a redevelopment bond. The total decrease of these three rates is .0852. Subtracting this total from the city tax increase gives a total tax increase of 3.6468.

It is not anticipated that, due to the annexation of the Elk Grove area, any governmental employees will be eliminated from other governmental agencies. Because of this fact, no plan has been prepared for the hiring of such employees.

TABLE 7

T O T A L T A X R A T E

		WASHINGTON TRANSIT	FT. WAYNE WASHINGTON
STATE	State Fair Board	.0035	.0035
	State Forestry	.0065	.0065
	TOTAL STATE	.01	.01
COUNTY	County General	.915	.915
	County Welfare	.3421	.3421
	County Health	.073	.073
	Cumulative Bridge	.05	.05
	County Bonds	.0929	.0929
	Redevelopment Bonds	.026	
	TOTAL COUNTY	1.499	1.473
TOWNSHIP	Township General	.008	.008
	Poor Relief Debt Service	.067	.067
	Fire Protection	.0523	
	Township Recreation	.002	.002
	Township Emerg. Medical	.0069	
	TOTAL TOWNSHIP	.1362	.077
SCHOOLS	School General	2.926	2.926
	School Debt	.22	.22
	Cumulative Building	.40	.40
	School Transportation	.375	.375
	Museum of Art	.005	.005
	TOTAL SCHOOL	3.926	3.926
LIBRARY	Library Operating	.3134	.3134
	Library Bond	.023	.023
	TOTAL LIBRARY	.3364	.3364
CITY AND SPECIAL TAXING DISTRICT	Corporation General		2.6249
	Redevelopment General		.0141
	Sewer Fund		.0162
	Corporation Bond		.3879
	Fire Pension		.1546
	Police Pension		.1227
	Park General		.3959
	Sanitary Officers Pen.		.0157
	Public Transportation	.118	.118
	Transportation Bond	.038	.038
	TOTAL CITY & SPECIAL DISTRICT	.156	3.888
TOTAL TAX RATE		6.0636	9.7104

Elk Grove Legal

Part of the North half of Section 33, Township 31 North, Range 12 East and part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana.

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 28, Township 31 North, Range 12 East; thence South along the East line of the Northwest Quarter of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, 25 feet to the South right-of-way line of Butler Road; thence West along said South right-of-way line to the intersection of the East right-of-way line of Hillegas Road; thence Northwesterly to the intersection of the North right-of-way line of Butler Road and the East right-of-way line of Hillegas Road; thence North along the East right-of-way line of Hillegas Road to the intersection of the South right-of-way line of Coliseum Blvd.; thence Northeasterly and East along said South right-of-way line to the East line of the Northwest Quarter Section 28, Township 31 North Range 12 East; thence South on the East line of the Northwest Quarter to the South line of the Northeast Quarter of Northwest Quarter of said Section 28; thence West along said South line 317.1 feet; thence South 00° 25 feet West and parallel to the West line of the Southeast quarter of the said Northwest Quarter a distance of 661 feet to the North line of the South half of the Southeast Quarter of the Northwest Quarter of Section 28; thence West 990 feet along the North line of the South half of the Southeast Quarter of said Northwest Quarter to the West line of the Southeast Quarter of the Northwest Quarter of said section; thence South along said West line and the West line of the East half of the Southwest Quarter of Section 28 to the South line of said Section 28; thence East along said South line to the point of beginning; area containing 213 acres more or less.

The City of Fort Wayne

June 28, 1985

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of July 3 and July 10, 1985, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN

Bill No. X-85-05-53
Annexation Ordinance No. X-04-85
Smith/Winters Road

Bill No. X-85-05-34
Annexation Ordinance No. X-03-85
Ferguson Road

Bill No. X-85-02-26
Annexation Ordinance No. X-05-85
Elk Grove Annexation

Bill No. X-85-05-32
Annexation Ordinance No. X-02-85
Winters Road

Please send us 5 copies of the Publisher's Affidavit from both newspapers for each of the above.

Thank you.

Sincerely yours,
Sandra E. Kennedy
Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 4

LEGAL NOTICE

Notice is hereby given that on the 25th day of June, 19 85, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-85-02-26

Ordinance No. X-05-85 to-wit:

Bill No. X-85-02-26

ANNEXATION ORDINANCE NO. X-05-85

AN ORDINANCE annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the North half of Section 33, Township 31 North, Range 12 East and part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana.

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 28, Township 31 North, Range 12 East; thence South along the East line of the Northwest Quarter of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, 25 feet to the South right-of-way line of Butler Road; thence West along said South right-of-way line to the intersection of the East right-of-way line of Hillegas Road; thence Northwesterly to the intersection of the North right-of-way line of Butler Road and [illegible] right-of-way line of Hillegas Road; thence

Form Prescribed by State Board of Accounts — General Form No. 99P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines .....

Head number of lines .....

nes 130

es 2

of lines in notice 132

Notice is hereby given that on the 25th day of June, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following bill No. X-85-02-26. Ordinance No. X-05-85, to wit:

BILL NO. X-85-02-26

ANNEXATION ORDINANCE NO. X-05-85

AN ORDINANCE annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect on December 31, 1985.

Janet G. Bradbury
COUNCILMEMBER

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven. Burns, Eisbart, GiaQuinta, Henry, Redd, Stier, Talarico.
Nays: None.
Abstained: One. Bradbury.
Absent: One. Schmidt.
Date: 6-25-85

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-05-85 on the 25th day of June, 1985.

ATTEST: (SEAL)
Sandra E. Kennedy, City Clerk
Mark E. GiaQuinta, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 1985, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy, City Clerk

Approved and signed by me this 26th day of June, 1985, at the hour of 3:00 o'clock P.M., E.S.T.
Win Moses, Jr.
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-05-85 passed by the Common Council on the 25th day of June, 1985, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of June 1985, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of June, 1985

Sandra E. Kennedy, City

7/13-20

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1 columns wide equals 132 equivalent lines at .450¢ $ 59.40
e

tices containing rule or tabular work (50 per cent of above amount) .....

of publication (50 cents for each proof in excess of two) 3 extra 1.50

UNT OF CLAIM $ 60.90

2.5 picas Size of type 6 point

2 Size of quad upon which type is cast 6

Ch. 89., Acts 1967.

is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

..... Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

7/13 - 7/20/85

Drusilla Roose

Subscribed and sworn to me before this 20th day of July 19 85

Anne M. Perkins

Anne M. Perkins Notary Public

My commission expires November 29, 1985

Form Prescribed by State Board of Accounts

General Form No. 99P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines	
Body	number of lines	130
Tail	number of lines	2
	Total number of lines in notice	132

COMPUTION OF CHARGES

132 lines, 1 columns wide equals 132 equivalent lines at .450¢ cents per line		$ 59.40
Additional charge for notices containing rule or tabular work (50 per cent of above amount)		
Charge for extra proofs of publication (50 cents for each proof in excess of two)	3 extra	1.50
TOTAL AMOUNT OF CLAIM		$ 60.90

DATA FOR COMPUTING COST

Width of single column 12.5 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date July 20 19 85

Title CLERK

FORM #904

Notice is hereby given that on the 25th day of June, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following bill No. X-85-02-26. Ordinance No. X-05-85, to wit:

BILL NO. X-85-02-26
ANNEXATION ORDINANCE NO. X-05-85

AN ORDINANCE annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the North half of Section 33, Township 31 North, Range 12 East and part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana.

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 28, Township 31 North, Range 12 East; thence South along the East line of the Northwest Quarter of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, 25 feet to the South right-of-way line of Butler Road; thence West along said South right-of-way line to the intersection of the East right-of-way line of Hillegas Road; thence Northwesterly to the intersection of the North right-of-way line of Butler Road and the East right-of-way line of Hillegas Road; thence North along the East right-of-way line of Hillegas Road to the intersection of the South right-of-way line of Coliseum Blvd.; thence Northeasterly and East along said South right-of-way line to the East line of the Northwest Quarter Section 28, Township 31 North Range 12 East; thence South on the East line of the Northwest Quarter to the South line of the Northeast Quarter of Northwest Quarter of said Section 28; thence West along said South line 317.1 feet; thence South 00 degrees 25 feet

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-05-85 passed by the Common Council on the 25th day of June, 1985, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of June 1985, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of June, 1985

Sandra E. Kennedy, City

7/13-20

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

7/13 - 7/20/85

Drusilla Roose

Subscribed and sworn to me before this 20th day of July 19 85

Anne M. Perkins

Anne M. Perkins Notary Public

My commission expires November 29, 1985

Form Prescribed by State Board of Accounts, General Form No. 99P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

130 lines

2 lines

132 er of lines in notice

1 columns wide equals 132 equivalent lines at .450¢ $ 59.40
line

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of publication (50 cents for each proof in excess of two) 3 extra 1.50

UNT OF CLAIM $ 60.90

2.5 picas Size of type 6 point

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h. 89., Acts 1967.

just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

Title CLERK

Notice is hereby given that on the 25th day of June, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following bill No. X-85-02-26. Ordinance No. X-05-85, to wit:

BILL NO. X-85-02-26

ANNEXATION ORDINANCE NO. X-05-85

AN ORDINANCE annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the North half of Section 33, Township 31 North, Range 12 East and part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana.

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 28, Township 31 North, Range 12 East; thence South along the East line of the Northwest Quarter of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, 25 feet to the South right-of-way line of Butler Road; thence West along said South right-of-way line to the intersection of the East right-of-way line of Hillegas Road; thence Northwesterly to the intersection of the North right-of-way line of Butler Road and the East right-of-way line of Hillegas Road; thence North along the East right-of-way line of Hillegas Road to the intersection of the South right-of-way line of Coliseum Blvd.; thence Northeasterly and East along said South right-of-way line to the East line of the Northwest Quarter Section 28, Township 31 North Range 12 East; thence South on the East line of the Northwest Quarter to the South line of the Northeast Quarter of Northwest Quarter of said Section 28; thence West along said South line 317.1 feet; thence South 00 degrees 25 feet West and parallel to the West line of the Southeast quarter of the said Northwest Quarter a distance of 661 feet to the North line of the South half of the Southeast Quarter of the Northwest Quarter of Section 28; thence West 990 feet along the North line of the South half of the Southeast Quarter of said Northwest Quarter to the West line of the Southeast Quarter of the Northwest Quarter of said section; thence South along said West line and the West line of the East half of the Southwest Quarter of Section 28 to the South line of said Section 28; thence East along said South line to the point of beginning; area containing 213 acres more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 3 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That after its passage, any and all necessary approval by the Mayor, due legal publication, and the required sixty (60) day remonstrance period, this Ordinance shall be in full force and effect on December 31, 1985.

Janet G. Bradbury
COUNCILMEMBER

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven. Burns, Eisbart, GiaQuinta, Henry, Redd, Stier, Talarico.
Nays: None.
Abstained: One. Bradbury.
Absent: One. Schmidt.
Date: 6-25-85

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-05-85 on the 25th day of June, 1985.

ATTEST: (SEAL)
Sandra E. Kennedy, City Clerk
Mark E. GiaQuinta, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 1985, at the hour of 11:30 o'clock A.M., E.S.T.
Sandra E. Kennedy, City Clerk

Approved and signed by me this 26th day of June, 1985, at the hour of 3:00 o'clock P.M., E.S.T.
Win Moses, Jr.
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-05-85 passed by the Common Council on the 25th day of June, 1985, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of June 1985, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of June, 1985.
Seal
Sandra E. Kennedy, City Clerk

7/13-20

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

7/13 - 7/20/85

Drusilla Roose

Subscribed and sworn to me before this 20th day of July 19 85

Anne M. Perkins Notary Public

y commission expires November 29, 1985

Form Prescribed by State Board of Accounts

General Form No. 99P (Rev. 1967)

Fort Wayne Common Council
(Governmental Unit)
Allen County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra 1.50

TOTAL AMOUNT OF CLAIM $ 60.90

DATA FOR COMPUTING COST

Width of single column 12.5 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date July 20, 19 85

Title CLERK

FORM #903

Notice is hereby given that on the 25th day of June, 1985, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following bill No. X-85-02-26. Ordinance No. X-05-85, to wit:

BILL NO. X-85-02-26

ANNEXATION ORDINANCE NO. X-05-85

AN ORDINANCE annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana, and including same in the Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the North half of Section 33, Township 31 North, Range 12 East and part of Section 28, Township 31 North, Range 12 East, Allen County, Indiana.

Beginning at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 28, Township 31 North, Range 12 East; thence South along the East line of the Northwest Quarter of the Northeast Quarter of Section 33, Township 31 North, Range 12 East, 25 feet to the South right-of-way line of Butler Road; thence West along said South right-of-way line to the intersection of the East right-of-way line of Hillegas Road; thence Northwesterly to the intersection of the North right-of-way line of Butler Road and the East right-of-way line of Hillegas Road; thence North along the East right-of-way line of Hillegas Road to the intersection of the South right-of-way line of Coliseum Blvd.; thence Northeasterly and East along said South right-of-way line to the East line of the Northwest Quarter Section 28, Township 31 North Range 12 East; thence South on the East line of the Northwest Quarter to the South line of the Northeast Quarter of Northwest Quarter of said Section 28; thence West along said South line 317.1 feet; thence South 00 degrees 25 feet

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-05-85 passed by the Common Council on the 25th day of June, 1985, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of June 1985, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of June, 1985.

Seal

Sandra E. Kennedy, City Clerk

7/13-20

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

7/13 - 7/20/85

Drusilla Roose

Subscribed and sworn to me before this 20th day of July 19 85

Anne M. Perkins

Anne M. Perkins Notary Public

My commission expires November 29, 1985

BILL NO. X-85-02-26

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS REFERRED AN (ORDINANCE) (RESOLUTION) annexing certain territory commonly known as the Elk Grove Annexation Area to the City of Fort Wayne, Indiana and including the same in Councilmanic District No. 3

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (RESOLUTION) Do Pass

YES		NO
Janet G. Bradbury	JANET G. BRADBURY CHAIRWOMAN	
	THOMAS C. HENRY VICE CHAIRMAN	
Samuel J. Talarico	SAMUEL J. TALARICO	
Paul M. Burns	PAUL M. BURNS	
	BEN A. EISBART	

CONCURRED IN 6-25-85

SANDRA E. KENNEDY
CITY CLERK